

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH OLLIE,)	
)	
Plaintiff,)	
)	Civil Action No. 12-67 Erie
v.)	
)	
TROOPER JAMES BROWN, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on March 5, 2012 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 44], filed on January 30, 2013, recommended that the Motion to Dismiss the First Amended Complaint filed by Defendants Hackwelder and Sambroak [ECF no. 26] be granted and that any attempts to amend the First Amended Complaint be denied as futile. It was further recommended that the Motion to Dismiss the Second Amended Complaint filed by Defendants Hackwelder and Sambroak [ECF No. 34] be dismissed as moot. The parties were allowed fourteen (14) days from the date of service to file objections and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 22nd day of February, 2013;

IT IS HEREBY ORDERED that the Motion to Dismiss the First Amended Complaint filed by Defendants Hackwelder and Sambroak [ECF No. 26] is GRANTED and any further attempts to amend the First Amended Complaint as to these two Defendants is DENIED as futile. IT IS FURTHER ORDERED that the Motion to Dismiss

the Second Amended Complaint filed by Defendants Hackwelder and Sambroak [ECF No. 34] is DISMISSED as moot.

The Report and Recommendation [ECF No. 44] of Magistrate Judge Baxter, filed on January 30, 2013 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge